

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA                          )  
  )  
v.    )  
  )  
CALVIN ARTIS STEWART, JR.                         )

CR. NO. 2:05-CR-171-LSC

MOTION FOR LEAVE TO DISMISS COUNT THREE OF INDICTMENT

Comes now the United States of America by and through its Attorney for the Middle District of Alabama and moves the Court for leave to dismiss Count Three of the Indictment heretofore filed in the above styled cause to Calvin Artis Stewart, Jr., on the following grounds, to wit:

The United States agreed to dismiss Count Three of the Indictment in the Defendant's Plea Agreement.

Respectfully submitted this the 5th day of July, 2006.

Respectfully submitted,

LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

/s/ Kent B. Brunson  
KENT B. BRUNSON  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104  
Telephone: (334) 223-7280  
Fax: (334) 223-7135  
[kent.brunson@usdoj.gov](mailto:kent.brunson@usdoj.gov)

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

## CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

John R. Walker.

LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

/s/ Kent B. Brunson  
KENT B. BRUNSON  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104  
Telephone: (334) 223-7280  
Fax: (334) 223-7135  
[kent.brunson@usdoj.gov](mailto:kent.brunson@usdoj.gov)